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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/853,187
Filing Date: May 11, 2001
Appellant(s): ARNESON ET AL.

MAILED

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Technology Center 2100

William H. Bollman
Reg. No.: 36,457
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed March 8, 2006 appealing from the Office action mailed October 11, 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Helferich (6636733) in view of Rajan (6633910).

Regarding claim 1, Helferich teaches a method of providing electronic event notification to a communications device (Column 4, lines 11 – 14), comprising: associating a first electronic event message with a first phone number (Column 4, lines 8 – 10) such that information about said first electronic event message is provided when a communications device calls said first phone number (Column 5, lines 1 – 9); sending said first phone number to said communications device (Column 4, lines 23 – 25); and providing information about said first electronic event message when said communications device calls said first phone number (Column 5, lines 1 – 9).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 2, Helferich teaches the method of providing electronic even notification to a communications device according to claim 1, further comprising: disassociating said first phone number from said first electronic event message once said communications device contacts said first phone number (Column 4, lines 54 – 56).

Regarding claim 3, Helferich teaches the method of providing electronic even notification to a communications device according to claim 2, further comprising: associating said first phone number with a second electronic event message after said information about said first electronic event message is provided (Column 4, lines 54 – 56; Column 5, lines 4 – 6).

Regarding claim 4, Helferich teaches the method of providing electronic even notification to a communications device according to claim 1, further comprising: obtaining a communications device identifier when said communications device dials

said first phone number; and using said communications device identifier to identify said first electronic message (Column 3, lines 50 – 53).

Regarding claim 5, Helferich teaches the method of providing electronic even notification to a communications device according to claim 1, further comprising: associating said communications device with an entity (Column 3, lines 50 – 53).

Regarding claim 6, Helferich teaches the method of providing electronic even notification to a communications device according to claim 5, further comprising: receiving a second electronic event message intended for said entity (Column 8, line 63 – Column 9, line 2); associating said second electronic event message with a second phone number such that information about said second electronic event message is provided when said communications device calls said second phone number; sending said second phone number to said communications device; and providing information about said second electronic event message when said communications device contacts said second phone number (Column 7, lines 28 – 31).

Regarding claim 7, Helferich teaches the method of providing electronic even notification to a communications device according to claim 5, further comprising: associating a second communications device with a second entity; receiving a second electronic event message intended for said second entity; associating said second electronic event message with said first phone number such that said information about said second electronic event message is provided when said second communications device contacts said first phone number; sending said first phone number to said second communications device (Column 4, lines 4 – 9); and providing information about

said second electronic event message when said second communications device contacts said first phone number (Column 7, lines 5 – 21).

Regarding claim 8, Helferich teaches the method of providing electronic even notification to a communications device according to claim 7, further comprising: obtaining a second communications device identifier when said second communications device dials said first phone number; and using said second communications device identifier to identify said second electronic message (Column 7, lines 5 – 21).

Regarding claim 9, Helferich teaches a method of providing an event notification, comprising: receiving an electronic notification of an event (Column 4, lines 2 – 7); associating said received electronic notification with at least one phone number (Column 4, lines 8 – 10); generating a message that contains said associated phone number (Column 4, line 11 – 14) that when called provides information about said electronic notification (Column 5, lines 1 – 5); and transmitting said message to a communications device (Column 4, 23 – 25).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a

change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 10, Helferich teaches the method of providing an event notification according to claim 9, further comprising: responding to a contact to said associated phone number to provide access to said event (Column 4, lines 32 – 44).

Regarding claim 11, Helferich teaches a method of providing an event notification, comprising: associating at least one claim check with an event (Column 4, lines 8 – 10); associating at least one communication device identifier with said event (Column 3, lines 50 – 53); and generating a message for a communications device, said message containing said associated claim check (Column 4, line 11 – 14)

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting

bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 12, Helferich teaches the method of providing an event notification according to claim 11, further comprising: transmitting said message to said communications device (Column 4, lines 23 – 25).

Regarding claim 13, Helferich teaches the method of providing an event notification according to claim 12, further comprising: providing information about said event to said communications device (Column 4, lines 11 – 14).

Regarding claim 14, Helferich teaches the method of providing an event notification according to claim 11, further comprising: displaying said message on said communications device (Column 5, lines 21 – 27).

Regarding claim 15, Helferich teaches the method of providing an event notification according to claim 11, further comprising: displaying said event on said communications device (Column 5, lines 21 – 27).

Regarding claim 16, Helferich teaches the method of providing an event notification according to claim 11, further comprising: providing one or more options associated with the event (Column 5, lines 21 – 27).

Regarding claim 17, Helferich teaches the method of providing an event notification according to claim 11, further comprising: receiving a user response to said event (Column 5, lines 21 – 27).

Regarding claim 18, Helferich teaches the method of providing an event notification according to claim 11, further comprising: processing a user response to said event (Column 5, lines 21 – 27).

Regarding claim 19, Helferich teaches a method of providing an event notification, comprising: associating a first claim check and a first communication device identifier with a first event; and associating said first claim check and a second communications device identifier with a second event (Column 5, lines 3 - 6; Column 3, lines 50 - 53).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 20, Helferich teaches the method of providing an event notification according to claim 19, further comprising: generating for said first

communications device a first message with said first claim check (Column 4, lines 8 – 10).

Regarding claim 21, Helferich teaches the method of providing an event notification according to claim 20, further comprising: that said first message comprises data about said first event (Column 4, lines 11 – 14).

Regarding claim 22, Helferich teaches the method of providing an event notification according to claim 20, further comprising: generating for said second communications device a second message with said first claim check (Column 7, lines 15 – 21; Column 3, lines 50 - 53).

Regarding claim 23, Helferich teaches the method of providing an event notification according to claim 22, further comprising: that said second message comprises data about said second event (Column 4, lines 11 – 14).

Regarding claim 24, Helferich teaches the method of providing an event notification according to claim 19, further comprising: that said first claim check is a phone number (Column 4, lines 8 – 10).

Regarding claim 25, Helferich teaches a method of providing an event notification comprising: associating a first claim check and a first communication device identifier with a first event (Column 4, lines 2 – 10); generating for a first communications device a first message comprising said first claim check (Column 4, lines 11 – 14); associating a second claim check and said first communications device identifier with a second event; and generating for said first communications device a second message comprising said second claim check (Column 7, lines 28 – 31).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 26, Helferich teaches the method of providing an event notification according to claim 25, further comprising: that said claim check is one of a plurality of phone numbers.

Regarding claim 27, Helferich teaches the method of providing an event notification according to claim 25, further comprising: that said first communications device identifier is said phone number assigned to said first communications device (Column 3, lines 50 - 53).

Regarding claims 28, 32, and 33, Helferich teaches a notification system for a communications device comprising: a plurality of phone numbers; and a messaging module executing on a processor, said messaging module being configured to receive

an electronic notification of an event and associate at least one phone number with said event, and being further configured to generate a message for a communications device, said message containing said phone number (Column 4, lines 44 – 56) that when called provides information about said electronic notification (Column 5, lines 1 – 5).

Helferich but does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 29, Helferich teaches the notification system for a communications device according to claim 28, further comprising: an application module that is responsive to a contact to said phone number to provide access to said event (Column 4, lines 33 – 43).

Regarding claim 30, Helferich teaches the notification system for a communications device according to claim 28, further comprising: that said message further comprises a summary of said event (Column 7, lines 3 – 5).

Regarding claim 31, Helferich teaches the notification system for a communications device according to claim 28, further comprising: said communications device is a wireless device (Column 3, lines 16 – 20).

Regarding claim 34, Helferich teaches the notification system according to claim 32, further comprising: said message is transmitted to a communications device (Column 4, lines 29 – 31).

Regarding claim 35, Helferich teaches the notification system according to claim 32, further comprising: a plurality of communication device identifiers are associated with a plurality of entities (Column 3, lines 50 – 53).

Regarding claim 36, Helferich teaches the notification system according to claim 35, further comprising: that said event notification identifies at least one entity (Column 4, lines 23 – 25).

Regarding claim 37, Helferich teaches the notification system according to claim 36, further comprising: said messaging module is configured to determine an communication device identifier associated with an identified entity, and to associate said communication device identifier with said event (Column 3, lines 50 – 60).

Regarding claim 38, Helferich teaches the notification system according to claim 37, further comprising: that said messaging module obtains said communication device identifier when said communications device uses said claim check; and wherein said

messaging module uses said communication device identifier to identify said event (Column 7, lines 16 – 22).

Regarding claim 39, Helferich teaches a notification system, comprising: a plurality of claim checks (Column 4, lines 44 – 56); a plurality of communication device identifiers associated with a plurality of entities (Column 3, lines 50 – 53); and a messaging module that is configured to receive electronic data about an event for an entity, to associate said electronic data about said event with at least one of said claim checks and one of said communication device identifiers associated with said entity, and to generate a message that contains said associated claim check (Column 4, lines 44 – 56).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 40, Helferich teaches the notification system according to claim 39, wherein: that said messaging module is configured to provide said entity one or more action options which permit said entity to request one or more actions in response to said event (Column 7, lines 6 – 10).

Regarding claim 41, Helferich teaches the notification system according to claim 40, wherein: said one or more actions include retrieving electronic data about said event (Column 7, lines 6 – 10).

Regarding claim 42, Helferich teaches the notification system according to claim 40, further comprising: that said one or more actions include requesting a purchase (Column 10, line 15).

Regarding claim 43, Helferich teaches the notification system according to claim 40, wherein: that said one or more actions include accessing one or more other events in said notification system (Column 8, line 63 – Column 9, line 2).

Regarding claim 44, Helferich teaches the notification system according to claim 40, wherein: said one or more actions include requesting a transmission of a response message (Column 7, lines 6 – 10).

Regarding claim 45, Helferich teaches the notification system according to claim 39, further comprising: an event retrieval module (Column 4, lines 33 – 38).

Regarding claim 46, Helferich teaches the notification system according to claim 45, wherein: that said event retrieval module reads said event to said user (Column 5, lines 22 – 35).

Regarding claim 47, Helferich teaches the notification system according to claim 45, further comprising: that said event retrieval module displays said event on said communications device (Column 5, lines 22 – 35).

Regarding claim 48, Helferich teaches a notification system, comprising: a plurality of claim checks (Column 4, lines 44 – 56); a plurality of communication device identifiers (Column 3, lines 50 – 53); and a messaging module that is configured to receive electronic notification of a first event, to associate a first claim check and a first communication device identifier with said first event (Column 4, lines 44 – 56), to receive electronic notification of a second event, and to associate said first claim check and a second communication device identifier with said second event (Column 4, lines 2 – 10; Column 5, lines 3 - 6; Column 3, lines 50 - 53).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting

bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 49, Helferich teaches the notification system according to claim 48, wherein: said messaging module is configured to generate a first message with said first claim check (Column 4, lines 11 – 14).

Regarding claim 50, Helferich teaches the notification system according to claim 49, wherein: said first message comprises data about said first event (Column 4, lines 11 – 14).

Regarding claim 51, Helferich teaches the notification system according to claim 49, wherein: said messaging module is configured to generate a second message with said first claim check (Column 4, lines 2 – 10; Column 5, lines 3 - 6; Column 3, lines 50 - 53)

Regarding claim 52, Helferich teaches the notification system according to claim 51, wherein: said second message comprises data about said second event (Column 5, lines 1 – 9).

Regarding claim 53, Helferich teaches the notification system according to claim 48, wherein: said claim check is a phone number (Column 4, lines 6 – 10).

Regarding claim 54, Helferich teaches the notification system according to claim 48, wherein: said claim check is an event identifier (Column 4, lines 2 – 10).

Regarding claim 55, Helferich teaches the notification system according to claim 49, wherein: said first message is a short message to a wireless device (Column 4, lines 11 - 14).

Regarding claim 56, Helferich teaches the notification system according to claim 49, wherein: said first message is a summary message of said event (Column 4, lines 11 - 14).

Regarding claim 57, Helferich teaches the notification system according to claim 48, wherein: said communication device identifier is a mobile directory number (Column 3, lines 50 – 53).

Regarding claim 58, Helferich teaches the notification system according to claim 48, wherein: said messaging module executes on a computer server (Column 5, lines 10 – 14).

Regarding claim 59, Helferich teaches the notification system according to claim 48, wherein: said messaging module is part of a web site (Column 3, lines 25 – 27).

Regarding claim 60, Helferich teaches a notification system, comprising; means for storing a plurality of phone numbers (Column 4, lines 44 – 45); means for receiving an electronic notification of an event (Column 4, lines 2 – 4); means for associating at least one of said plurality of phone numbers with said event (Column 4, lines 8 – 10); means for generating a message that contains said at least one of said plurality of phone numbers (Column 4, lines 11 – 14) that when called provides information about said electronic notification (Column 5, lines 1 – 5); and means for transmitting said message to a communications device (Column 4, lines 23 – 25).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 61, Helferich teaches the notification system according to claim 60, further comprising: a means for responding to a call to said associated phone number to provide access to said event (Column 4, lines 57 – 61).

Regarding claim 62, Helferich teaches a notification system, comprising: means for maintaining a plurality of claim checks (Column 4, lines 44 – 45); means for maintaining a plurality of device check identifiers (Column 3, lines 50 – 53); means for receiving an electronic notification of an event (Column 4, lines 2 – 8); means for associating at least one of said claim checks and one of said device identifiers (Column 4, lines 2 – 10) with information about said event; and means for generating a message that contains said associated claim check (Column 4, lines 11 – 14).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 63, Helferich teaches the notification system according to claim 62, further comprising: means for retrieving said event (Column 4, lines 57 – 60).

Regarding claim 64, Helferich teaches the notification system according to claim 62, further comprising: means for offering one or more options associated with said event (Column 5, lines 24 – 40).

Regarding claim 65, Helferich teaches the notification system according to claim 62, further comprising: means for generating one or more responses to said event (Column 5, lines 24 – 40).

Regarding claim 66, Helferich teaches a notification system, comprising: means for storing a plurality of claim checks (Column 4, lines 44 – 45); means for storing a plurality of communication device identifiers (Column 3, lines 50 – 53); means for receiving an electronic notification of a first event (Column 4, lines 2 – 8); means for

associating a first claim check and a first communication device identifier with information about said first event (Column 4, lines 2 – 10); means for generating a message for said first event (Column 4, lines 11 – 14); means for transmitting the message to the communications device identified by the first communication device identifier (Column 4, lines 23 – 25); means for receiving an electronic notification of a second event; and means for associating a second claim check and said first communication device identifier with information about said second event (Column 8, line 63 – Column 9, line 2).

Helferich does not explicitly indicate that the event message is an indication of a change associated with a predefined Internet site content.

Rajan teaches a system that sends alerts and events to user devices such as cell phones (Column 3, lines 44 – 46; lines 62 – 65) and teaches that the alerts are an indication of a change associated with a predefined Internet site content (Column 3, lines 44 – 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Rajan's teaching of sending alerts to cell users about a change at a predefined web site in Helferich's event messaging system in order to the user to know of anything has changed on a defined data location, rather than wasting bandwidth and money checking periodically if there has been changes (Column 3, lines 18 – 41).

Regarding claim 67, Helferich teaches the notification system according to claim 66, further comprising: means for receiving a request to access said second event; and means for providing access to said second event (Column 4, lines 57 – 61).

Regarding claim 68, Helferich teaches the notification system according to claim 66, further comprising: means for providing access to said second event in response to receiving said second claim check (Column 5, lines 26 – 40).

(10) Response to Argument

The Examiner summarizes the various points raised by the appellant and addresses replies individually.

With regards to claims 1, 28, and 60, the Appellant argues that the combination of Helferich in view of Ragan would not disclose providing a phone number that when called provides information about the change associated with a predefined Internet site content.

In response, the examiner respectfully submits:

Claim 1, cites in part, “associating a first electronic event message indicating a change associated with a predefined Internet site content with a first phone number such that information about said first electronic event message is provided when a communications device calls said first phone number,” no where in this limitation does the examiner see any idea of that the phone number, when called, provides information about the change with the predefined Internet site content, as argued by the appellant.

The claim only reads on the idea that using the phone number give the communication details about the electronic event. The electronic event messages does as claimed, indicate a change associated with a predefined Internet site content, but it is not limited to containing information about the change, it only must at least indicate that a change has occurred at the site.

In this way, the reference Rajan teaches an alert, or electronic message, that is sent to users (communication devices) as a notification that a change has been made to predefined Internet sites (Column 3, lines 54 – 65; Column 14, lines 10 – 18; Column 15, lines 63 – Column 16, lines 7).

The main reference, Helferich, teaches a system where for any types of electronic messages, including event messages, are produced associating that event with a phone number (Column 4, lines 8 – 10) and sending that phone number to the user (Column 5, lines 1 – 9), where when the phone number is used it gives the user access to the information from the message (Column 5, lines 1 – 9). This references teaches all types of messages that are to be sent to the user's communication device, and each time, the user receives a phone number to access each message. The reference does not disclose that the message could be generated and used to alert the user of changes in predefined Internet sites.

The reference Rajan, as shown above, teaches generating alert/event messages for a user, when changes are made to predefined Internet sites. This discloses an extra type of alert/event messages that could be sent to a user, and in the reference,

Helferich, the way the communication device receives event messages is by associating it with a phone number and sending the phone number to the communication device.

So the combination of the references Helferich and Rajan teaches the claimed invention in that they teach associating event message with a phone number and using that phone number to allow the user to get access to information about the associated message, where that message could be in response to a change in internet content.

With regards to claims 1, 28, and 60, the Appellant argues that the combination of Helferich and Rajan is improper because there is no motivation to combine the references since the combination would not save the user bandwidth as mentioned in the office action.

In response, the examiner respectfully submits:

The motivation to combine the references Helferich and Rajan stems from the idea that Helferich teaches the method of receiving all types of messages and allowing the communication device access to those messages, where these messages are types of messages that a mobile user might not usually be able to receive. The reference is very vague and generic about the types of messages and the purposes of the messages that the system should receive and one in the art would know that lots of different types of event messages could be sent to a user device and be motivated to discover other types of event messages.

The reference Rajan teaches a certain type of event message to be sent to user devices including mobile devices. In the reference, event/alert messages are being

generated for users who subscribed to get information about changes made to certain websites defined by the user. This is just one more teaching of the types of messages that could be sent to a mobile device, and since Helferich is concerned with being able to handle all types of messages to be sent to the user, the reference Rajan provides teaching of another type of message to be sent to the mobile device.

The benefit of using the type of messages taught in Rajan would be that alerting users to changes in webpages would allow the user to save energy, bandwidth, and time of checking on its own whether a website has made certain changes or not. Instead of each time going to the website and having the user check himself, the event message system allows the system to inform the user that the change has been made instead of the user having to find out for himself (Column 3, lines 18 – 41).

So the combination of Helferich and Rajan is proper because for the types of messaging that Helferich lacks disclosure for, Rajan provides the teaching of that type of messaging and shows a benefit to performing the messaging.

With regards to claims 11, 19, 25, 32, 39, 48, 62, and 66, the Appellant argues that the reference, Helferich, does not disclose claim checks.

In response, the examiner respectfully submits:

Claim 11, discloses the idea of having a claim check, associated with an electronic event and allowing the user to use the claim check to get access to information about the event. In the context of the claim, the idea of a claim check can be something, anything that is associated with an electronic event message that can be

sent to the user's communication device where that claim check enables the communication device to gain access to information about the event message. While this idea of a claim check can be lots of things, including an identifier that the device can use to access the server and request the information, an address where the information about the message device can be accesses by the communications device, the reference Helferich teaches the idea of sending a phone number to a mobile device that the user can use to gain access to information about a message received (Column 4, lines 8 – 10; Column 5, lines 1 – 9). This is a perfectly valid idea of a claim check in terms of the broadness of the claimed invention, the phone number gets associated with the event and sent to the user. The user then uses the phone number to gain access to information about the associated event message.

In fact, in dependent claim 24 goes on to further limit the idea of a claim check in claim 19 with a phone number. So since the claimed invention further limits the claim check to be a phone number, and Helferich uses the phone number as a claim check as claimed in the independent claims, then Helferich teaches a claim check.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.


For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,

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